

SENTENCE DATA SHEET

CRIMINAL NO.: H-11-259

DEFENDANT: ARMANDO CHAVEZ

**DEFENDANT'S
IMMIGRATION
STATUS:** U.S. CITIZEN

GUILTY PLEA: TO THE CRIMINAL INFORMATION [4 counts]

**SUBSTANCE
OF PLEA**

AGREEMENT: Pursuant to Fed. R. Crim. P. 11(c)(1)(A)&(B)

COUNT 1 : CONSPIRACY - 18 U.S.C. § 371
COUNTS 2-4: MAIL FRAUD - 18 U.S.C. § 1341

ELEMENTS: **Conspiracy - [§ 371]**
(1) Two or more persons.....
(2) agrees, combines, or confederates....
(3) to commit an offense against the United States...
(4) and commits at least one overt act....

Mail Fraud - [§1341]
(1) One who knowingly creates a scheme and artifice to defraud...
(2) with the specific intent to defraud....
(3) and uses the U.S. mail or any private or commercial interstate carrier...
(4) and makes materially false representations....

PENALTY: CONSPIRACY [§371] - 5 years imprisonment/ \$250,000 fine
MAIL FRAUD [§1341] - 20 years imprisonment/\$250,000 fine

**ALTERNATIVE
FINE BASED ON
GAIN OR LOSS:**

Applicable (amount of gain = \$[amount] (18 U.S.C. 3571(d))

**SENTENCING
GUIDELINES:**

Advisory [see *U.S. v. Booker*]

**SUPERVISED
RELEASE:**

Up to 3 years [as to each count, Conspiracy and Mail Fraud]

**SPECIAL
ASSESSMENT:**

\$100 per count of conviction (18 U.S.C. § 3013)